

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TIMOTHY J. MCQUEEN,

Defendant.

8:19CR77

ORDER

This matter is before the Court on Defendant's MOTION TO FILE PRETRIAL MOTIONS OUT OF TIME [23]. The Court notes that a jury trial as to this defendant is set for April 30, 2019, before Senior Judge Smith Camp. For good cause shown, I find that the motion should be granted. Defendant will be given an approximate fourteen (14) day extension. Leave is given to file pretrial motions on or before April 12, 2019. Accordingly,

IT IS ORDERED:

1. Defendant's MOTION TO FILE PRETRIAL MOTIONS OUT OF TIME [23] is granted. Pretrial motions shall be filed on or before April 12, 2019.
2. Defendant's jury trial scheduled for April 30, 2019, is cancelled, and shall be rescheduled upon the expiration of the April 12, 2019, pretrial motion filing deadline.
3. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., the time between March 29, 2019, and April 12, 2019, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

Dated this 3rd day of April, 2019.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge